



**Office of the Attorney General  
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**Department of Commerce and Insurance  
Commissioner Paula Flowers**

**NEWS RELEASE**

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**FOR IMMEDIATE RELEASE**

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**COURT ISSUES RESTRAINING ORDER, FREEZES ASSETS OF FOREST HILL  
CEMETERY OWNER CLAYTON SMART IN MEMPHIS**

Shelby County Chancellor Arnold Goldin has issued an order prohibiting a Memphis cemetery company from transferring any assets from the company.

The company, Forest Hill Funeral Home and Memorial Park - East, LLC, operates three cemeteries and funeral homes in Memphis. Another defendant in the lawsuit is Clayton Smart, who is the operator of Forest Hill.

The restraining order will remain in effect pending a hearing on the State's motion for a temporary injunction and appointment of a receiver. That hearing is scheduled before Chancellor Goldin on Jan. 23 at 10 a.m.

Attorney General Bob Cooper and Shelby County District Attorney General Bill L. Gibbons filed the lawsuit on Monday afternoon on behalf of the State and its Commissioner of Commerce and Insurance, Paula A. Flowers. Under state law, the Commissioner regulates cemeteries and funeral home trust funds. District Attorney Gibbons has the authority to ask the Chancery Court to revoke the charter of a corporate cemetery company and to seize and sell its assets.

At issue in the lawsuit is whether the defendants have violated statutes regulating cemetery trust funds for the protection of the public. The complaint alleges that Smart and others have misapplied trust funds.

Other defendants include Stephen W. Smith, Indian Nation, LLC; Redbud Tree Investments, LLC; and several cemeteries Smart operates.

A copy of the complaint will be posted on the Attorney General's website at [www.attorneygeneral.state.tn.us](http://www.attorneygeneral.state.tn.us) or contact Sharon Curtis-Flair at 615-741-5860.